54

Previous references.

File No. 174

1904-05.

Serial Nos. 1 to

(III - Police.)

Later references.

pol 83-19(1-5)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 6

Part B. for September 1905

SUBJECT.

- Grant of certificates of character to vagrants.

FILE No. 174 of 1904-05.

Grant of certificates of character to Vagrant gangs.

1	From the First Assistant to the Hon'ble the Resident in Mysore, letter No. 2714, dated the 16th May 1905. Forwards a certificate of good conduct granted by the Police Inspector of the Malur Taluk to one Mirza Ali, a dealer of the Beluchi gang, and requests the Durbar to co-operate with the British Authorities in prohibiting the grant of such certificates to vagrant gangs in future.
2	To the same, No. 971 (Pol.), dated the 29th May 1905. Requests that a copy of the Government of India Resolution, Home Department, No. 29-989-1000, dated the 20th May 1879, may be kindly forwarded for reference.
3	From the same, No. 4695, dated the 22nd August 1905. Forwards a copy of the Resolution referred to.
4	To the Inspector-General of Police, No. J. 739, dated the 7th September 1905 Forwards the certificate referred to by the Residency and requests that suitable instructions may be issued to Subordinate Police Officers to refrain from granting certificates of good conduct to vagrant gangs in future and invites his attention to the instructions issued by the Government of India on the subject.
5	From the same, No. 1747—176, dated 16th September 1905. States that strict orders have been issued prohibiting all Police Officers from granting passports, permits or certificates of character to any foreigners, vagrants or other persons passing through the State and that due notice of the conduct of the Police Inspector of Malur, for having granted such certificate, will be taken.
R.	
6	To the First Assistant to the Hon'ble the Resident in Mysore, letter No. Pol. 231, dated the 22nd September 1905. Intimating that [illegible] with reference to Serial No. 1

G. R. S. 11] 1904-05

GENERAL AND REVENUE SECRETARIAT.

(Police)

NOTES.

File No. 174 of 04-05

FILE HEADING.

Granting of certificates of Character to vagrant gangs.

From

First Assistant to the Hon'ble the Resident, in Mysore.

No. 2714 Dated 16-5-05 Received 17-5-05

Diary No. 92354	Enclos. 1	Spare Copies. 4	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards a certificate granted by the Police Inspector off Madras to one Hirza Ali leader of a Beluchi gang & requests the Durbar to cooperate with the British authorities in prohibiting the grant of such certificates to vagrant gangs in future.

NOTES AND ORDERS.

MGCPB—25,000—18-8-04

G.R.S. 12]

General and Revenue Secretariat. | File No. 174 of 1904-05

Serial No.

2 To the F. A. Resident in Mysore

Letter Pol: No: 971 dated 29.5.05

Requests in connection with the above a copy of Govt: of India Resolution no: 29 – 989 – 1000 dated the 20th May 1879 for reference.

From

3 the same officer.

Letter no: 4695 dated 22.8.05

Forwards a copy of the ~~above~~ resolution referred to in the above.

1) The Inspector of the Malur Taluk granted a certificate to one Mirza Ali, a leader of the Beluchi gang, stating that he stopped at Malur for 2 days with the gang and that the gang behaved themselves well. This Certificate was found in their possession while they were at Trichinopoly. The Resident objects to the grant of such certificates to vagrant gangs & requests ~~that~~ the Dewan to co-operate with the authorities in British India in dealing with foreign gangs in accordance with the instructions issued by the Govt of India in their Home Deptt Resolution No. 29-989-1000 dated the 20th May 1879 (a copy of which has been subsequently received)

MGCPB—50,000—17-2-05

G.R.S. 12]

General and Revenue Secretariat.

File No. 17 4 of 1904-05

Serial No.

Flag O

The instructions are laid down in para 53 of the Restriction Act III of 1864 referred to (The Foreigners Act) is not in force in the State.

Subd for orders.

SW 26/8/05

2) Read the correspondence including the Asst Resident's letter of India, & para order of the Dpt to issue instructions to the Police Officer to refrain from granting certificates of good conduct to vagrant Sample A copy of the instructions issued may also be reported.

3) Draft of the J.A. Resident, stating that instructions have been issued as above — 25 Nov

4) Subd with a draft order and letter as directed above.

SW 26/8/05

Dy Secy 26-8-05

5) Draft submitted to the Dewan Saheb thereon the 2nd Member 28/8/1905

MGCPB—50,000—17-2-05

ral and Revenue Secretariat.

Police File No. 174 of 1904-05.

Serial No.

6/ With the drafts may be forwarded, it is unusual for Police Officers to grant a certificate which do not mean much to natives.

31.8.1905

8425/1.9.05

Sec 8/9/05

To

4 The Inspector General of Pol in Mysore.

Ro no: J 739 / Police 174-4/ dated 7.9.05.

Directs him to issue orders to police officers to refrain from granting certificates of good character to vagrant gangs &c to forward a copy of the instructions issued by the DG of Police for the information of Govt.

To the D.G. of Police in Mysore.

Letter No. 1747/176 dated the 16th Sept 1905.

States that strict orders have been issued prohibiting all Police officers from granting passports, permits or certificates

NOTE.—Contn. sheet.

MGCPB—50,000—17-2-05

G.R.S. 12]

General and Revenue Secretariat.

Police File No. 174 of 1904-05

Serial No.

of character to any foreigners, Vagrants or other persons passing through the State and that due notice of the conduct of the Police Inspector of Malur for having granted such a certificate will be taken.

Submd with a draft letter to the Residency.

SW 19/9/05 (Registrar) (Dy Secy) 19-9-05

Sd/ 19/9/05

Approved 20/9/1905

To the First Assistant to the Hon'ble the Resident in Mysore, Letter No. Pol: 231 d: 22-9-05. 23.9.05. States that strict orders have been issued prohibiting all Police officers in Mysore from granting passports, permits or certificates of character to any foreigners, Vagrants or other persons passing through the State & that the action of Police Inspector of Malur in having granted a such a certificate to the headman of the Bellachi gang is being inquired into with a view to suitable notice of the irregularity being taken.

Note.—Contn. sheet.

MGCPB—50,000—17-2-05

R. P. B.—4-05—500.

File no: 174 J2384
Serial no: 1

No. 2714 Encne

FROM

R. C. H. MOSS. KING, ESQ., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

Pol no 1822 Dy 18.5.05

To

The Dewan of Mysore.

Dated Bangalore, 16th May 1905.

111 Chit
Pol
17.5.05

SIR,

I am directed to forward the enclosed certificate granted by the Police Inspector of Malur, which was found in the possession of a gang of foreigners camping in the Trichinopoly district. The gang is known to be very troublesome and wanders about the whole of Southern India from the Nizam's dominions downwards.

2. Mirza Ali, the man to whom the certificate of good character was given, was sent to jail in the Chingleput district for six months in 1903 for failure to furnish security for good behaviour. I am to bring this fact to the notice of the Durbar and to request that they will be so good as to co-operate with the authorities in British India by issuing orders, if they have no objection, to prohibit the grant of such certificates to vagrant gangs in future. In connection with this question, attention is invited to the resolution of the Government of India in the Home Department No.29-989-1000, dated the 20th May 1879.

3. The Resident will be glad to be informed in due course of the action taken by the Durbar in this matter.

2

I have the honour to be,

Sir,

Your most obedient servant,

First Assistant Resident

12

RS. 26]

Office
File No. 174
Serial No. L

iary No. of letter replied to

Pol No. 971

General and Revenue Secretariat
( )
, *the* 190 .

To
The First Assistant to the
Hobl the Resident in Mysre.

te of issue 27 . 5 . 05
29

ned by B.K. Venkatvaradayya Sg Sir,

I am directed to ac-
knowledge the receipt of your
letter No. ~~Pol~~ 2714 dated the 16th
May 1905, ~~to~~ in regard to the
grant of Certificates to vagrant
gangs and to request that a
copy of the ~~Govt of~~ Resolution
of the Govt of India in the
Home Deptt, No. 29-989-1000
dated the 20th May 1879, may
be kindly forwarded for reference.
requested to herein

I have the

SUBJECT.

25-5-1905
Secretary

27/5/05

recd 27/5/05

List of enclosures:

nil

Copied by 27/5/70

Examined by

R. P. B.—6-1905.—500

No. 4695 Income

FROM

R. C. H. MOSS KING, ESQ., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

Pol no 268 dt 22-8-05

To

The Dewan of Mysore.

III Dbill
#9
Rec'd
22.8.05

Dated Bangalore, 22nd August 1905.

SIR,

With reference to Mr.Venkatavaradiengar's letter Pol No.971, dated the 27th May 1905, I am directed to forward herewith a copy of the resolution of the Government of India in the Home Department No.29-989-1000 dated the 20th May 1879, regarding the treatment of gangs of Foreign Asiatic Vagrants.

I have the honour to be,
Sir,
Your most obedient servant,

First Assistant Resident.

RK

29

Nos. 989 to 1000.

Extract from the Proceedings of the Government of India in the Home Department (Public), -under date Simla, the 20th May 1879.

x x x x x x x

R E S O L U T I O N.

The question as to the best mode of dealing with bands of forei vagrants travelling about India has been under the consideration of the Government of India more than once. It appears from the papers mentioned in the preamble that so far back as the 18th February 185(the Superintendent of the Astragram Division of Mysore addressed to the Commissioner of Mysore, Sir Mark Cubbon, in the following terms in regard to certain Iranee vagrants :

> On my arrival here this morning I was beset by a crowd who complained that the bazaar and surrounding villages had been dered yesterday by a large gang of robbers ; that, besides rice, fowl, and other articles of food, they had stolen a ba ₹ 97 from one person, a handkerchief from another, and a cl from a sepoy : the robbers are the Iranees who arrived at th place yesterday from Nuggur, in all 160 individuals. I pro at once to their encampment, accompanied by the Amildar plainan, to enquire into the complaints.
>
> The Iranees denied the charges of robbery, but reasoned having left their own country on account of famine and ob passports authorising their begging, they had a right to by the villagers, and required three times as much food a the poor wretches of this country ; that they did not p rupee, and could not subsist on less than ₹ 20 each day no Iranee could exist on less than one seer of the fin

a seer of the best wheat, and a seer of ghee, besides a sheep of the best sort for every four men and individuals, also a seer of Bengal gram for each pony (72 in all).

If these plundering beggars were not under the protection of a escort, and the inhabitants were not afraid of the Government, there would be many scenes of violence and blood. These sturdy vagrants are now in the heart of the Mysore territory, and I hav received the Commissioner's instructions to send an escort with them to Bangalore. I cannot, however, permit the present system of plunder and terror to continue, which excites just discontent amongst the people, and brings dishonour on the British name. I have ordered the Iranees to be fed at the expense of Government, and through Government agency, and appointed a gomastah to accompany the party and keep a daily account, which arrangements will, I trust, meet with the Commissioner's approval.

As the duffadar (who was beaten by them) and peons forming the escort have no control over these lawless and reckless band I have ordered a jemadar and twelve sowars to escort the party t Bangalore.

In a subsequent letter dated the 21st February 1856 the Superintendent of the Astragram Division reported to the Commissioner that the amildar having attempted to search the baggage of the Iranees accused of the theft of ₹97, the gang had loaded ten or fifteen mat locks with powder and ball and had marched off in a threatening manner.

3. On the 26th February 1856 the Commissioner of Mysore issued the following orders to the Superintendent of Police at Bangalore in reg to the band of Iranees regarding whom the Superintendent of Astragra had reported :

Since entering the Chitteldroog Division they have been guilty of acts of violence, plundering villagers of supplies, and setti

the police guard which accompanied them at defiance, so as render it necessary for a guard of Shilladars to be placed them.

It having been arranged that the party should proceed t via Oossoor, and as the Magistrate of that District may no the means at his disposal for controlling these vagabonds deem it expedient that they should be disarmed at Bangalor their arrival here, and I request you will take measures t this into effect.

It may be prudent for you to call upon the Officer Comm Bangalore for military aid to effect this purpose. I there request you will do so.

On the arrival of the party at Oossoor, where the Iranees uarrelled among themselves and formed two separate divisions roceed to different directions, the Magistrate of Salem found ifficulty in managing the vagrants, and had to apply to the C ommanding at Royacottah for military aid. In his letter to th ommanding, the Magistrate of Salem wrote -

The head of police of Oossoor states that the party, co ing of 134 persons, arrived at Oossoor on the 3rd instant acc panied by twelve of the Shilladar's horse and 30 Mysore peons under a shaikdar, and that the number of peons he has at his disposal totally inadequate to exercise any effectual control over the

When the Iranees entered fairly into the territories under t urisdiction of the Madras Government, the Superintendent of Pol adras, submitted reports to the Local Government, extracts from f which are given below :

Extract from a letter dated 12th March 1856. - Parties fro wandering tribes of Persia frequently visit India and cause g uneasiness to the inhabitants. In October 1842 a large party

Persians found their way to the Neilgherries, which I brought to the notice of the Magistrate of Malabar, as will be seen by his letter to Government under date the 27th of October. Again in November 1846 I forwarded to Government a letter from the Head Assistant Magistrate of Guntoor reporting the conduct of a party of Persians who had landed at Massaulipatam, on which occasion I addressed Government at length on the 19th January 1846. These people were brought to the Presidency, and, notwithstanding the precautions taken, they contrived to cause much alarm by their daring conduct. They entered the houses of the inhabitants by way of begging, but frequently used threats to extort money. I beg leave respectfully to suggest that the party now approaching may be ordered to halt at Poonamallee, and placed in the fort under a military guard, if necessary. The principal men only should be sent into Madras for examination, though there is in truth, no use in this, for their stories never vary.

Extract from a letter dated 7th April 1856. - They were examined separately and cross examined closely, and there is no reason whatever to doubt the fact that they left their own country under severe pressure, principally caused by a famine ; and that they wandered to India, like many others of their countrymen with the object of begging and hoarding. They have petitions in the English language setting forth their misery and hardships and craving charity.

Speaking of a feud that existed between the several sets of people composing the party, and the desire of each set to travel separately from the rest the Superintendent of Police, Madras, wrote thus in the same letter :

First, because they cannot agree, and, secondly, because they find that their number alarms the inhabitants of the villages ; and, moreover, that they find difficulty in some places to procure provisions in sufficient quantity. They distinctly state that they can make their way through the country in an honest and peaceable manner by the contributions which they collect from charitable persons in towns and large places.

7. The Superintendent of Police added -

After I had arranged the parties this morning in a very quiet manner, and just as I was leaving, unfortunately two women of distinct parties quarrelled and instantly came to blows, and it was with some difficulty that they were torn asunder. I sent the aggressor to a cell, and the other was taken away by her friends, and I did not leave the place until the excitement caused by this squabble has subsided. I had scarcely reached the quarters of Colonel Impett when word was brought that a general fight had commenced, and I returned to the fort, in company with the Colone where a remarkable scene presented itself : nearly the whole body men and women, were in open skirmishing order, generally armed with long bamboo staves, and a sharp action with brickbats and stones was going on from the rear flanks, whilst the centre was earnestly fighting hand to hand. At this period there was not a sound beyond the blows : all were deeply engaged in this great conflict between the two parties, in which the women distinguished themselves for thier fury and violence. The body of one woman was lying near the centre in a state of insensibility, covered with blood, and most of them were bleeding from wounds in different parts of their bodies. It was with the greatest difficulty that the parties were separated and disarmed ; and the only way to prevent the renewal of the fight was by removing the Ki manites in a body from the fort under a strong military guard in some public bungalow in the neighbourhood where a guard will be placed. Fortunately the doctor was on the ground, and the woman who was so severely wounded received immediate attention, and th others had their wounds dressed. This scene was a good example o might be the consequence if these people were permitted to wande through the country except under supervision ; and I beg leave t suggest that they may be started in four or five detached bodies under surveillance of the civil authorities in routes laid down for them. They all express a desire to journey towards Calcutta, but in my humble opinion it will be advisable to send them to th northern parts of the Bombay districts, to pass through Sind, towards Afghanistan. The inhabitants of the countries to the west

are

are far better able to deal with these sorts of people. ⊠ ⊠ ⊠

8. The Madras Government approved certain arrangements for sending on the Iranee vagrants to Afghanistan, and submitted the whole correspondence for the consideration of the Government of India, drawing special attention to the mischief occasioned by ⊠ bodies of people of this description being allowed to pass freely through British territories. In reply ⊠ the Madras Government

⊠ No. 703 dated 6th June 1856.

were informed that the Governor General in Council admitted the necessity for a law to enable the Local Government, or its officers, to deal with foreign Asiatic Vagrants, and that the Legislative member for Madras might be instructed to introduce a

⊠ Letter from Madras No. 735, dated 10th July 1856.

bill for that purpose into the Council of the Governor General. The Madras Government ⊠ however, did not agree in the suitability of the remedy proposed. They explained that they had addressed the ⊠ Government of India in the matter of the Iranee vagrants not in consequence of the insufficiency of the law of that Presidency to deal with such vagrants, as under Regulation II.,1822, Section 3, and Regulation VI., 1827, Section 6, of the Madras Code, the Magistrate had ample powers to hold them to security, or to commit them to prison. The Madras Government added -

(2) ⊠ ⊠ ⊠ But this proceeding, besides bearing hardly on the families of the men who may be sent to jail, would burden the Government with the expense of maintaining the men who are imprisoned, or rather the whole party during the entire period of their detention ; and it would still be a question how to dispose

dispose of them when liberated, the only course being to pass them back towards their own country, as has recently been done with the Iranees.

(3) The Madras Government would desire to suggest for the consideration of the Government of India whether it would not be preferable to have recourse to measures of prevention rather than coercion, and whether instructions might ~~be~~ not be sent to the authorities on the West and North-Western frontier to prevent such parties of vagabonds from passing through their districts at all.

(4). On the occasion now under reference the Iranees would seem to have proceeded in two parties, one via Peshawar & the Punjab and one via Candahar and Mooltan, and to have been roaming for a length of time through the Company's Provinces without apparently check or interference on the part of the authorities until they entered ~~Madras~~ the Madras territories.

9. On a perusal of this reference from the Madras Government the Government of India were led to consider the different treatment which the foreign vagrants received from the ~~several~~ several Local Governments. The system of granting passports which obtained in some Provinces specially attracted their attention ; and the result of the discussion which ensued was the recording of a Resolution under date the 15th August 1856 to the effect that the passage of bands of foreign vagrants through any part of India was objectionable ; and that, as suggested by the Madras Government, the best plan would be to direct the (Sind and Punjab authorities) Local Administrations of the frontier Provinces to take the necessary steps for the prevention of foreign vagabonds from entering into the interior of India through the frontier districts. It having appeared from the papers then before the Government of India that while in the Salem District the

the Iranees had been allowed at the public expense Rs 20 and seven xxx sheep a day for their subsistence, on the ground that the same course had been followed in the Mysore territories, this extraordinary method of daaling with these people, as if they were honoured guests, was also noticed in the orders of the Governmant of India. The necessary orders were then issued to the local authorities concerned.

10. In explaining the circumstances under which the Iranees had been permitted to pass through the Mysore territories and enter the Madras districts, Sir Mark Cubbon, referred to the remarkable scenes witnessed by the Madras Superintendent of Police at the Fort of Poonamallee, and observed that such reckless and disbrderly persons could hardly be expected to be overawed by the ordinary village police ; neither were they likely to submit xxxx to any but an overwhelming force of Native troops without a sanguinary struggle. Sir Mark Cubbon added - (8). The question was a difficult one in whatever way it was looked at, but I was resolved to spare blood, if possible ; and I could see no alternative but to feed them at the public expense until I had the means of coercing them under circumstances which would render assistance hopeless. I might then, it is true, have punished them for their turbulent conduct ; but I could only have done so by throwing the whole gang into the jail, which would have added to the cost of feeding them, and only postponed the difficulty of dealing with them when released.

11. In consideration of the explanation furnished by Sir Mark Cubbon and of certain other papers received from the Bombay Government, the Supreme Government took into consideration the conduct of the officers who granted pass ports to the Iranees ; and they issued a notification

on

on the 24th November 1856 strictly prohibiting the practice on the part of Magistrates and other Civil and Political authorities, of granting passports to persons travelling or intending to travel, from one part of India to another. The attention of the several Local Governments and Administrations was at the same time drawn to these orders with a request that the necessary instructions should be issued to all subordinate authorities for the strict observance of those orders. The Foreign Department was also requested to issue similar instructions to the Political Officers under that Department.

12. In October 1857, owing to the then disturbed state of the country and to the desire of some British subjects travelling to different districts on business to be furnished with the protection of passports, and with reference to certain instructions of the late Court of Directors for the adoption of measures to prevent foreigners from travelling over the country, the Madras Government requested permission to revive the passport system.

The Madras Government were in reply informed, under dated the 9th December 1857, when a bill regarding the treatment of foreigners had just been passed by the Imperial Legislature, that the passport system afforded no security whatever to a Government unless it was worked by a much more numerous and efficient police than any part of India then possessed, whilst such a system was open to very great abuse. It was added that if the Government of Madras felt that in any part of that Presidency security to life and property would be increased

by the adoption of the passport system " in these exceptional times" His Lordship would offer no objection.

13. When the correspondence with the Madras Government was reported to the Secretary of State in a despatch dated the 16th December 1858, the Secretary of State in reply expressed a hope that the necessity for such unusual precautions as a system of passports for travelling within India had ceased to exist.

14. On the 22nd July 1859 the Government of India forwarded to the Government of Madras a copy of the Secretary of State's despatch above referred to, and enquired whether the practice of granting passports in that Presidency was still continued, and whether the Madras Government considered it desirable to maintain it. On the 12th September 1859, the Madras Government replied that the practice of granting passports had already been discontinued in that Presidency. They added that " since the publishing of Act XXXIII. of 1857 foreigners have not been allowed to travel or pass through any part of the Madras territories without a license ; but the Native subjects of the French and Portuguese Settlements, as well as the subjects of the Cochin, Travancore and Hyderabad States, have been exempted from the operation of the Act ".

15. The object of the law, referred to by the Madras Government and Act XXXIII of 1857. passed during the year 1857-1858, was to enable the several Local Governments and Administrations in British India to prevent subjects of foreign

States from residing or sojourning therein or from passing through or travelling in the same, without the consent of the said Governmen The law was originally a temporary one, but was continued from time to time. When the continuing Act of 1862 was about to expire, carrying with it the law of 1857, it appeared to the Government of India that the power reserved to the Governor General in Council, and the executive Governments of the Presidencies and Provinces, by sections 13 and 14 of Act XXXIII. of 1857, might properly be possessed by those authorities as a permanent arrangement. At a meeting of the Legislative Council on the 16th December 1863, in introducing a Bill to enact with certain modifications the provisions of the law of 185 as a permanent measure, the Honourable Sir Henry Maine spoke as follows:

> The Foreigners Act was originally passed in the year of the mutinies, but it was a temporary measure terminable in December 1859 : it had, however, been since continued from time to time , and expired only on the 5th of this present month of December. The last of the Acts, continuing the Foreigners Act in operation, was in truth passed in order to give the Government of India time to consult the Local Governments as to the necessity of renewing the Act. The replies of the Local Governments had lately been received. * * * *
>
> They all said that although they very rarely had occasion to put in force the powers vested in them by the Foreigners Act, still they considered that they ought not to be wholly deprived of those powers in case any necessity for making use of them should arise. * * * * *

The Bill introduced into Council by Sir Henry Maine on the 16th cember 1863 was passed into law as Act III. of 1864. In this Act e word " foreigner " is defined to mean " a person not being either

a natural-born subject of Her Majesty within the meaning of the Statute 3 and 4 William IV., Chapter LXXXV., Section 81, or a native of British India ". Below is given a copy of Sections 3,4 and 5 of the Act :

(3) The Governor General of India in Council may, by writing, order any foreigner to remove himself from British India, or to remove himself from British India, or to remove himself therefrom by a particular route to be specified in the order, and any Local Government may, by writing, make the like order with reference to any foreigner within the jurisdiction of such Government

(4) If ~~xxxx~~ any foreigner ordered to remove himself from British India, or ordered to remove himself therefrom by a particular route, shall neglect or refuse so to do ; or if any foreigner having removed himself from British India in consequence of an order issued under any of the provisions of this Act ; or having been removed from British India under any of the said provisions shall wilfully return thereto without a license, in writing, granted by the Governor General of India in Council, or by the Local Government under whose order he shall have removed himself or been removed, such foreigner may be apprehended and detained in safe custody until he shall be discharged therefrom by order of the Governor General of India in Council, or of the Local Government within whose jurisdiction he shall be so apprehended or detained upon such terms and conditions as the said Governor General of India in Council, or Local Government, shall deem sufficient for the peace and security of British India, and of the allies of Her Majesty, and of the neighbouring Princes and States.

(5) Whenever the Governor General of India in Council shall consider it necessary to take further precautions in respect of foreigners residing or travelling in British India, or any part thereof, it shall be lawful for the Governor General of India in Council, by a notification published in the Gazette of India, to order that the provisions of this and the subsequent sections of this Act shall be in force in British India, or in such part

thereof as shall be specified in such notification, for such period as shall be therein declared ; and thereupon, and for such period, the whole of this Act, including this and the subsequent sections, shall have full force and effect in British India or such part thereof as shall have been so specified. ■ ■ ■

7. About the end of the year 1865 the subject of bands of foreign vagrants again came to notice, when a large band of Heratees was wandering about the Madras Presidency ; and the Superintendent of

■ Under date the 13th ■ Police, Tinnevelly, reported, as follows to September 1865. the local Inspector General of Police :

Some two months ago I received information from the Superintendent of Police, Madura, that a party of about 105 Heratees were travelling south ; that they were inclined to be troublesome taking fowls and other things from the villagers without paying for them. He mentioned having sent four constables to accompany the party to prevent any abuse on their part in the Madura District, and requested me to relieve his men. ■ ■ ■ They came down to Palamcotah by the trunk road (No. 4), and in several places through which they passed there were outcries of theft after they had left the village . The women of the party were accused of thieving by magic, and other sorts of nonsense, managing to take away jewels and money from houses that were closely locked ; but nothing conclusive could be brought home to them. While in Palamcottah they were inclined to be troublesome, and had to be narrowly watched by the town police, who checked any oppression they attempted there.

They had received passports from the Magistrates of several districts through which they had passed, and these passports they appear to make use of, saying that they are 'Queen's orders' to enable them to do what they like.

The practice of deporting wandering vagrants of the above

scription

descriptions to their own country had been a

of Directors in a Political despatch No. 48,

1857. On the Inspector General of Police sub

Superintendent's report for the consideratio

His Excellency the Governor ~~General~~ in Counc

to refuse passports in such cases, and to be

send such foreign vagrants back towards the

of allowing them to pass onwards through the

Excellency in Council observed that the cou

in respect to these vagrants was to compel the gang to quit Br

territory by the nearest route in the direction of their own

and for this purpose to pass them back under police surveilla

but certainly not to advance them further into British Distri

unless with the view of reaching the coast as the nearest poi

they might be deported. His Excellency in Council further rem

at in dealing with these foreign vagrants the principles of

1864 should be kept in view.

). In reporting to the Governor General in Council th

eedings in regard to the vagrants referred to in the report

innevelly Police Superintendent, and regarding another party

o be travelling about the Cuddapah District in the early pa

ctober 1865, the Government of Madras suggested, in a let

he 19th October 1865, that steps should be taken to check t

ities for ingress and free passage which appeared to exist

these gangs of thieving foreigners " ; and that the Punjab and Sin authorities should be instructed to prevent the entrance of foreig vagrants into the British dominions. But no measures were taken wi reference to the cases mentioned by the Madras Government, and no port was made regarding the Magistrates by whom passports were ori ginally granted to the parties to enable them to enter into and t in British territory. All that could be done was to issue a circul

Home Department Circular Nos. 104 to 112 dated 6th January 1866. inviting the attention of all the Local G ernments and Administrations to the orde of the 24th November 1856, noticed in paragraph 11 of this Resol prohibiting the grant of passports to persons travelling within B tish India.

20. In August 1867 the Punjab Government brought to notice two gangs of Heratee vagrants had recently passed through Delhi t Ajmere, and that the gangs were possessed of a considerable quant of money and jewellery, said to have been acquired by trading ; a had with them several passports granted by different civil and po tical authorities. The result was that the attention of the Local Government concerned and of the Foreign Department was again invi to the orders of the 24th November 1856 and 6th January 1866, pro biting the grant of passports, with a view to the officers who ~~xx~~ granted passports to the Heratees being informed of the impropriе of their conduct.

21. Subsequebtly, in consideration of certain explanations furnishe

furnished by the Commissioner of Mysore and by the Governor-General's Agent for Central India as to the circumstances under which passes had been granted to the Heratee vagrants mentioned in the preceding paragraph, the Government of India considered it necessary to issue some general instructions in respect of the mode of dealing with such vagrants in future. Below is given an extract from the circular orders issued on the 12th November 1868 to all Local Governments and Administrations on the subject as follows :

(2) The necessity of strictly observing the orders of Government which prohibit the issue of passports or rahdari parwanahs hould be impressed on all magisterial authorities.

(3) The provisions of Act XXXI of 1860 (The Arms Act) shpuld be stringently ebforced in respect of all foreigners whose occupation and means of livelihood are not removed from all suspicio

(4) Whenever it may appear to an officer in charge of a distric that the presence there of any such band of foreigners is undesirable, instead of passing them on to an adjacent district, he should submit a report of the circumstances through the proper authority to the Local Government, which will then, if sufficien cause be shewn, deal with the case under the provisions of sec tions 3 and 4 of Act III. of 1864.

(5) Care must at the same time be taken that under the orders now issued no vexatious and unnecessary interference shall be exercised towards bodies of peaceable foreign merchants or traders who may visit India with the distinct aim of traffick ing at particular marts, or residing at particular centres of commerce and industry.

(6) The Governor General in Council will not object to vest, if necessary, Chief Commissioners with the powers of a Local Govern ment under Act. III. of 1864 ; and should any Local Government or Administration be of opinion that the provisions of the first four sections of the Act are not sufficient check upon the evil

to be redressed, an application should be made for the extension to such territories of the remaining sections of the Act.

22. In June 1869 a gang of foreigners, calling themselves Mekranis, Heratees and Cashiris, and numbering in all 114 souls, visited the Kaira District of Guzerat in the Bombay Presidency. The Magistrate of Kaira was of opinion that so large a concourse of foreigners coming from the countries where the habits of the people were notoriously lawless, was fraught with danger to the peace and quiet of his district, and he reported the matter to the Divisional Commissioner with a view to orders of Government being obtained for the disposal of the gang. On being addressed by the Commissioner of the Northern Division on the subject, the Bombay Government consulted their Advocate General in regard to their power to deport the the vagrants in question : and in accordance with the advice given by that officer, the Bombay Government made suitable arrangements for the deportation of the band of foreigners to their own country. In the course of the correspondence that took place as to the deportation of the vagrants, the District Superintendent of Police, Kurrachee, wrote as follows, alluding to the fact of these very vagrants having previously been deported on several occasions and having as often returned to India by some other route. He said -

(3) These men are a species of gipsies : they are by no means paupers, and profess to deal in pearls, stones, and also to be horse-dealers. They never remain for any length of time in one place.

(4) I consider that it is useless expense to be continually deporting them and sending them towards Cashmere, which is merely their nominal country. They no sooner get there than they start on fresh expeditions, and work their way through Central India into the Madras and Bombay Presidencies.

(5) The police are well able to deal with these men should they infringe the law.

The Commissioner in Sind concurred in the above opinion ; but the Government of Bombay thought differently. They were of opinion that these vagrants might not do much mischief in Sind owing to the warlike habits of the people on the frontier, and their ability to resist extortionate preoceedings ; but that as regards people of the more settled Regulation Provinces, the deportation of such gangs would undoubtedly be a public good.

24. In July 1869 the Chief Commissioner of the Central Provinces forwarded correspondence in regard to two bands of foreign vagrants who had been found wandering in the Baitool and Nimar Districts, respectively, with rahdari parwanahs and licenses granted by authorities in Bengal and the Central Provinces. Of the Nimar gang, the Deputy Commissioner of the District wrote as follows :

* * * On leaving Khundwa, however, they took the Asserghur road, and at Borgaon were reported to have committed a series of outrages which are now under investigation. The first was a dacoity by seven women of the party committed on another woman resident at Borgaon, in which property amounting to about Rs 300 is said to have been robbed. The other two were assaults by several of the men on two travellers at different places on the road, one of which was accompanied by robbery. On receiving these reports I had the whole gang brought back to Khundwa. Some little resistance was offered to their apprehension by the police, and

the two leaders have been convicted by Captain Scott of this offence and sentenced to a small fine. The gang consists of sixteen men, sixteen women, and 24 children, who have with them 40 ponies. Seven women and four men are in jail while the charges above mentioned are being investigated. Of the other twelve men, two are at large with the women and children, who are encamped outside the town under surveillance : and the other ten are in hawalut under remand, the police having reports of other thefts, &c., committed on the line of march adopted by these wanderers, which may possibly bring the whole gang under Section 401 of the Indian Penal Code. * * * Amongst their property and on their persond was found a large number of gold and silver ornaments, some of which have already been recognised as the produce of the Borgaon dacoity. I think it is not at all improbable that most of these have been obtained by theft and robbery in the course of their wanderings, and enquiries are now being made by the police along their back tracks. Four of the men were armed with double-barrelled guns, and five with single barrels and a pistol. They had arms licenses of different dates and places, altogether six in number. * * *

The Chief Commissioner thereupon recorded an order under ction 3 of Act III. of 1864, directing " certain persons, numbering ween 50 and 60, professing to be inahbitants of Cashmere, who are present at Khundwa, in the District of Nimar, without any ostensible purpose or object, to remove themselves from British India ".

26. In April 1872 the Quarter Master General submitted to the Military Department copy of a report by the Officer Commanding at Jalpaiguri to the effect that a party of Cashmiris, about 25 in number, were wandering about Titalia, armed with double-barrelled guns and rifles, plundering the villages along their route, and keeping *

he districts in a state of alarm and anxiety. The Military Depart-
alled upon the Bengal Government for a report on the subject. The
ort furnished by the Bengal Government contained a full descriptio
f the party and their doings, and also shewed that the incursion c
he foreigners had caused the people attending a fair customarily
eld at Titalya at the time to disperse in a panic. It further appe
that the Lieutenat-Governor of Bengal had ordered the gang to be de
with in accordamce with the provisions of Section 3 of Act III. of
1864.

27. The action of the Bengal Government in regard to the Tit
vagrants was approved by the Government of India in the Home Depar
ment orders dated 20th June 1872.

28. In January 1873 the Government of Bengal submitted a cor
pondence on the subject of a band of foreigners, alleging themselv
to belong to Lus Beyla, who had been wandering for the past three
years in different parts of Bengal. The Lieutenant-Governor of Ben
wrote -

> (3) Wherever they have gone they have proved a source of annc
> and terror to the inhabitants, and have been frequently been
> guilty of committing acts of petty mischief and plunder ; some
> members of the gangs have also been committed for trial for da-
> coity. Under these circumstances the local officers have found
> it necessary to watch and control their movements. The Commissin-
> ers of the divisions through which they have travelled are strong-
> ly of opinion that such bands of foreigners who are of superior
> physique to the natives of this country should not be allowed to
> roam in this way through Bengal, and recommended that they be sent back to their own country.

(5) The Commissioner of Bhagalpur now reports the arrival at Bhagalpur of both these gangs, numbering 105 souls ; states that they are very troublesome, and that it is exceedingly difficult to manage them.

29. The Lieutenant-Governor proposed to treat these bands under the provisions of Section 3 of Act III of 1864, and His Honour's proposal was approved by the Government of India in Home Department letter No. 619, dated the 15th February 1873.

30. About this time the Government of North-Western Provinces submitted papers relating to an affray between certain villagers of Ghazipur District and a band of wandering Iranees. In September 1873, the Commissioner in Sind reported to the Government of India that certain vagrants deported to Bunder Abbas had returned to Guadur on their way back to Sind. The Commissioner expressed an opinion that some special measures should be applied to these men, as otherwise it would not be possible to keep them out of ~~India~~ India. Being asked whether he could not deal with these foreign vagrants under Section 4 of Act III. of 1864, the Commissioner in Sind represented that as Section 4 of Act III. of 1864 only provided for the detention of ~~vagrants~~ vagrants, something more was required to prevent them from perpetually returning as they do. They might, he said, be brought under the provisions of Section 504, &c., of Act X. of 1872 (The Criminal Procedure Code). But these provisions, he feared might not be immediately applicable to all vagrant gangs, as some of the foreigners pretende to do some work.

31. This correspondence with the Commissioner in Sind was fo
warded to the Government of Bombay with the following remark :

Home Department letter No. 3118, dated 7th October 1873.

(2) I am to remark that section 4 of Act III. of 1864 author detention of foreign vagrants who may also be dealt with unde Chapter XXXVIII. of the Criminal Procedure Code. If it shall appear that further and more stringent steps are needed to pu an end to what may be a dangerous nuisance, His Excellency th Governor in Council will no doubt communicate his views to th Government of India.

32. In reply to the above-mentioned reference, the Bomaby Go ernment stated it as their opinion that the existing law was not quate to prevent the ingress to British India of Bands of Heratee other foreign vagrants ; and that there was no reason why such ban should not be specially dealt with by legislation, and their impr sonment or deportation and their condign punishment on return to B tish India duly legalised.

The Bomaby Government added that the exaction of hard la from these vagrants when in confinement should also be provided fo in the proposed law.

33. On a full consideration of the Bomaby Government's propc the decision of the Governor General in Council was against any le lation of the kind suggested. The ~~Bombay~~ Bombay Government were in ed that the necessity for a law of this kind against a particular class required to be clearly established by a proof that the ~~parti~~ local ~~ler~~ needs and circumstances which required the law counterbalanced

the

the general objections which existed against special additional legislation of this nature wherever it could be avoided. The Government of India remarked that they were " not at present in possession of information sufficient to shew exactly in what manner the existing provisions of the law, especially those which empower secutity for good behaviour to be required from persons of a suspicious character, have been asceratined by experiment to be inadequate, or to settle precisely where the defects exist, and by what additional measures and powers (over and above those already in the hands of the executive) these defects can best be remedied ". The Government of India added -

> The procedure suggested by your letter on the analogy of the Act for European vagrants would probably require some considerable modifications to suit the case of Heratee vagabonds. I am therefore to request that, if after a full consideration of the exigencies of the case, and of the present state of the law applicable to it, His Excellency the Governor in Council considers that a special Act is altogether necessary, the proposal for legislation may be submitted with full details of the objects and reasons and of the form which should be given to the enactment.

34. The Bomaby Government did not reply to the above orders. It however appeared from their judicial Proceedings for May 1874, No. 25, that their final decision was not to take any futther steps in the matter.

35. In May 1875 the Government of Madras submitted a collection of papers relating to certain gangs of Heratees " who were escorted

from Mysore through the Bellary District, and delivered to the Hyderabad authorities ". The several gangs were said to have quarrelled among themselves, and some of the men were severely wounded in the scuffle. It was also reported that in their route the men were with great difficulty prevented from extorting supplies from the villagers The Madras ~~Government~~ Government requested the Nizam's Government to co-operate effectively with the British authorities in carrying out the instructions of the Supreme Government " that these disorderly wandering bands should be compelled to return to their own country, under police surveillance, by the nearest route, and not permitted to range the country '

36. About this time the Bombay Government also submitted copies of correspondence with the Hyderabad authorities and with officers in the Madras Presidency regarding a gang of about 300 Heratees (very probably the same as the foreign bands referred to in the papers received from the Madras Government) whom the Hyderabad authorities wished to forward into the Sholapur District. The First Assistant Resident at Hyderabad described the men as " professional thieves, though ostensibly ~~xxx~~ sellers of mock-jems and pearls ". Speaking of the Heratee gang when passing through the Madras districts, the Magistrate of North Arcot said that their behaviour was most ~~xxxxxx~~ violent and daring ; and that they had with them a large number of horses and ponies; which they regularly turned loose to graze in the fields ; and if the

Bomaby Government letter dated 28th May 1875, No. 3127.

unfortunate owners of the crops attempted to drive off the animals, he was at once assaulted by the Heratees.

He added -

At each halt and in every village they pass through the gang broke up into parties and visited every house. The men stood outside, twirling long sticks, and keeping off the villagers while their females forced their way into the houses, and annoyed the inmates in all kinds of ways, always with an eye to plunder. In one instance that has been reported they deliberately broke the lock and entered a house, the owners of which were absent.

37. The Inspector General of Police, Madras, gave the following account of some of these men and women :

(4) These Heratee gangs do not commit robberies and dacoities on a large scale in this Presidency, probably because being foreigners they know that they would be at once detected ; but the women of the gang are expert thieves ; and after the departure of a gang from a town or village it is not unusual to hear of property being missed. Wherever they go they are a nuisance and a terror to the people upon whom they deliberately prey in various ways. The women dance before a house in no very decent fashion, and then thrust their mockstones (bits of coloured glass) and pearls into the hands of the female spectators, from whom they absolutely refuse to take them back, demanding an exorbitant price for an article wotth about an anna. In this way they screw a good deal of money out of the villagers, who are terrified into acquiescence by their violent manner. Another dodge is this : A Heratee goes to a bazaar to buy ghee, suddenly dips his hand into the pot, takes out some ghee in his palm, puts his tongue into it, declares it is bad, and puts it back into the pot, the whole contents of which are thereby polluted for Hindus. When the bazaar man complains of this, the Heratee offers to take the pot of ghee off his hands at a low figure. This sort of rough humour is, of course, not much relished by the victims who have to pay for it. The Heratees systematically

regarding a gang of Beluchis found wandering in the districts possessed of several passports and arms licenses granted by certain officers of the Central Provinces, &c., about the middle of the year 1876. The Magistrate of Banda considered them to be petty plunderers, whom it would be very impolitic to allow to wander about the country. The Magistrate wrote as follows under date the 22nd July 1877 :

(4) On the 17th and 18th I received numerous complaints of thei demanding money and food from zemindars and buniah, and using threats if their demands were not complied with. The people generally became disturbed, and various absurd rumours got afloat. Some said they were Russian spies, and others would have it that they were the remnant of the Russian army defeated and driven out of Armenia. ■ ■ ■ ■ ■

■ ■ ■ ■ ■ ■ ■

(7) The next morning they went about the city, and had collected some money from the inhabitants, when I was informed that they had gone to the house of Sham Karan, the principal Seth of the city, and had demanded with threats food for 300 men, ~~xxxxxx~~ stating that they had obtained ₹125 from me, the Collector.

■ ■ ■ ■ ■ ■ ■

40. It appeared this time from certain papers sent by the Government of the North-Western Provinces and Oudh that the Local Government had ordered that the band of Beluchis " should be allowed to proceed in two or more parties by the selected route to the Central Provinces via Nowgong without arms and under police surveillance while in British territory ". On receipt of the above papers the Government of India called upon the Chief Commissioner of the Central Provinces for an explanation of the circumstances under which passports and arms licenses had been given to the Beluchis while travelling in those

provinces

provinces. As regards the foreigners themselves, who had been permitted by the Government of the North-Western Provinces to return to

Letter No. 1672-74, dated 6th September 1877.

the Central Provinces, the Government of India wrote -

(2) The treatment of the Beluchi gang will now depend upon thei own behaviour. If they are orderly and well behaved, and earn their own livelihood, they may be left to themselves, with the warning that any misconduction their part will lead to their bein deported from British India under the provisions of Act III. of 1864.

41. In submitting the required explanation, the Chief Commissioner of the Central Provinces reported having now again forbidden the grant of passports to foreign vagrants, and expressed a hope that no injudicious grant of licenses would hereafter occur in those Provinces. As to the treatment of Beluchis sent back by the North-Western Provinces Government, the Chief Commissioner wrote as follows :

Letter No. 4428-165, dated 3rd November 1877.

(3) The question is- What should be done with this gang when it returns ? It is now clear that the members prey upon the people and extort money by threats. The Chief Commissioner would not therefore, permit them to wander freely all over the Province, but if merely removed and passed en route to their own country through foreign territory, they would probably before long reappear in some other province. The only satisfactory arrangement with a gang of this kind is to deport them by a particular route, and to intimate to neighbouring authorities the course that has been adopted. The Chief Commissioner proposes hereafter to adopt this course with any gang of wandering foreigners who misconduct themselves in any of the districts of these provinces under the instructions contained in paragraph 2 of your letter under reply.

42. The course proposed above by the Chief Commissioner of the Central Provinces was approved by the Government of India in the Home Department, with the remark that it was of course understood that " if any distinct offence is brought home to any member of this or another gang, the offender will be dealt with according to law and separately deported afterwards." Orders dated 21st December 1877.

43. Since the issue of the above-mentioned orders to the Chief Commissioner of the Central Provinces several communications have been received from the Government of Bombay and the Commissioner in Sind on the subject of the disposal of foreign vagrants. On the 26th March last the Bombay Government reported by telegram that 107 vagrants had already arrived at Rohri in Sind, and that 100 more were expected, these vagrants having been sent into Sind from the Central and the North-Western Provinces. The Bombay Government added that the vagrants, according to the Commissioner's report, were desirous to be allowed to recommence their tour through Central India. The Bombay Government futther said that the vagrants were natives of Seistan ; that in the Commissioner's opinion it would be impossible to march them to Seistan ; and that it would be useless to send them merely to some place beyond the British frontier, as they would be sure to return. Telegraphic orders were then addressed to Government of Bombay to the effect that the vagrants must on no account be permitted to re-commence their wanderings in Central India " where they prey upon peaceful people" ; but that an order should be recorded

~~xxxxx~~ recorded by the Local Government directing the men to remove themselves from British India. It was added that the Agent to the ~~Gover~~ Governor General in Beluchistan would be requested to move the Chief to prevent the return of the men.

44. In communicating to the Government of Bombay the purport of ~~H~~ Home Department No. 801, dated 17th April 1878. of the above mentioned telegram by letter, it was suggested that the Commissioner in Sind could, if necessary, communicate direct with the Agent, Governor General, in Beluchistan. A copy of the correspondence with the Government of the North-Western Provinces and the Chief Commissioner of the Central Provinces in regard to the Beluchi gang that was found wandering about the Bahda District was also sent to the Bombay Government, with the remark that possibly these Beluchis formed a part of the gang sent on to Sind, and the numerous complaints had been received from various quarters of the misconduct of the men in the places through which they passed. The Government of India concluded by saying that " it is absolutely necessary to deport these people, and to put the law in motion against them if they again attempt to enter British India ". A copy of the letter addressed to the Bombay Government was sent to the Foreign Department for the issue of the necessary orders to the Agent, ~~Gover~~ Governor General.

45. On the 30th May last the Government of Bombay sent for the consideration of the Government of India copies of two letters from the Commissioner in Sind dated the 24th of February and 14th of May last

ıst, respectively, on the subject of allowing large gangs of foreign

ıgrants to be collected together and sent into a province with which

ıey had no concern.

In his letter of the 14th February 1878 the Commissioner in

ind dwelt largely on the uselessness of deporting these men at consi-

ərable expense, as they were sure to return by some route or other.

~~xxxxxx~~ - He wrote-

(5) Experience, therefore, shows that the difficulty is a re-
curring one, and the costly and clumsy process of gang deportation does not provide a proper remedy. The fact also that these ~~xxxx~~ vagrants travel in all parts of India suggests that whatever ~~xx~~ orders are issued should be issued by the Government of India for general guidance. ~~x~~ ~~x~~ ~~x~~ The first point seems to me to be their separation, for when once the gang is suffered to be massed together and escorted by the police, it is impossible for one district to act differently from another ; and a force of police from the very South to the very North or the East to to the West of India is moved away from its proper duties to control their movements. I would venture to suggest that the gangs should never be allowed to collect together ; that on their approach into any district the greatest severity which the law permits should be used towards their leaders ; that any members of the gang who commit offences should be promptly punished, and if ~~p~~practicable, removed beyond the possibility of rejoining the gang. ~~x~~ ~~x~~ ~~x~~ If the vagrants are, as in most instances is the case, foreign vagrants, a few of them, and not the whole gang, might be deported, and photographs of the men so deported should be taken, and ~~information~~ intimation given to the Inspectors General or Commissioners of Police throughout India. Should the men so deported re-appear the photographs and descriptive rolls would ~~x~~ enable them to be identified and dealt with under Act III. of 1864.

In his letter of the 14th May 1878 the Commissioner in Sind referred

referred to a gang of vagrants ordered by the Bombay Government under Section 3 of Act III. of 1864 to remove themselves from British India. After explaining the action he had taken in giving effect to the wishes of the Bombay Government in respect to this gang, Mr. Melvill made some general observations on the subject of the treatment of foreign vagrants. Some of these observations were based partly on a mistaken impression that the practice of sending vagrants to Sind was founded on the belief that they were the inhabitants of Sind ; whereas in reality they were deported to Sind whenever it happened to be the most convenient route to the Native places of the persons concerned. Mr. Melvil added -

> (4) I cannot exaggerate the inconvenience which the guarding of this large gang for the last two or three months has caused and I am apprehensive that owing to the length of our frontier and its want of police, especially along the desert of the Upper Sind frontier district, the gang will elude the vigilance of the police, and escape back into India. I would earnestly beg that the attention of the Government of India be called to the subject, so that each Government or Administration in India may adopt a uniform line of conduct, and not merely divest itself of further responsibility in breaking up such gangs by massing them together, and sending them at infinite cost of trouble and money into the adjoining province.

On a subsequent reference from the Bombay Government about the return to Sind of some of the vagrants deported to Beluchistan the Foreign Department ordered the Governor General's agent to co-operate with the Sind authorities in preventing the return of deported

Beluchis ; and received a telegram from that officer saying that the local authorities were taking the necessary action in the matter.

48. In the police report of the Central Provinces for the year 1877 the Government of India noticed remarks about a number of Heratees wandering about those provinces and preying upon the villagers. With reference to those remarks the Government of India passed the following orders to the Chief Commissioner in a letter dated the 28th June last :

> (3) The only point which calls for any special remarks from the Government of India relates to the circumstance that a gang or gangs of Heratees have been wandering about the Raipur and other districts levying black-mail from the villagers. Stringent measures should be adopted for the treatment of these foreigners in the districts under your control when they are found to be habitually preying upon or molesting the people. The district authorities should be prepared to arrest these marrauders if they violate the law, or cheat or plunder British subjects. The sentence passed upon the man who killed the leader of a gang when attempting to enter a village in the Raipur District in spite of the opposition of himself and other villagers may or may not have been right ; but at the same time it may seem to the people rather hard that they should be punished for trying to keep them out of their villages.

The extracts from Sir Mark Cubbon's letter and from other papers given at the commencement of this resolution shew what sort of account the foreign gangs gave of themselves when they first came to the notice of the Home Department. Since then bands of foreign vagrants have over and over again attracted the attention of the Government of India and of the Local Governments. As to the harm which the foreign vagrants inflict

inflict on the country there can be no manner of doubt. They cannot plunder and annoy people in the Punjab and the North-Western Provinces where the population is thick, and individuals are sturdy and self-reliant ; but they worry and annoy people in Bengal, Central India and other places whenever they can get there, and extort money and supplies from the villagers whenever they can possibly do so. Hardly a year passes but these gangs visit some part of the Central Provinces.

50. Of course members of such gangs can be, and they often are, punished for thier misdeeds under the law. But the villagers find difficulty in identifying the aggressors ; and, moreover, these foreigners gain their ends by intimidation as well by actual violence. Formerly there was a difficulty in dealing with a band, some of the ring leaders of which had already been punished and imprisoned, while the rest were hanging about till the prisoners got out. Under the present law, however, it might be possible to proceed against the members of a gang of this kind, if they had no ostensible means of subsistence.

Sections 504-506 of the New Criminal Procedure Code (X. of 1872).

51. In a letter dated the 17th August 1878 the Punjab Government remonstrated against the cost incurred in that Province on account of vagrants deported by other Local Governments. The order issued on the Punjab Government's reference was this -

(2) In reply I am to invite the attention of His Honour the Lieutenant-Governor to Rule VI. of the Provincial Service Rules circulated with Financial Resolution No. 1709, dated the 22nd March 1877, which runs - " A Local Government must accept without re-

before 1871-1872, have been recorded under any of the transferred heads of Account in the accounts of its Presidency or Province, and must not raise objections on such grounds as that the charge has originated outside the Presidency or Province ". This rule would appear to apply exactly to the present case, and it is clear that the charges incurred in the Punjab in this instance would, under the previous system, have been recorded under the head of ' Police' in that Province. Under these circumstances His Excellency the Governor General in Council regrets that he is unable to recognise any claim to refunds on this account, either from the Central Provinces or any other Province. The whole act is in force only in British Burma, having been extended to that Province by Home Department Notification No. 1261, dated 1st September 1869.

The immediate cause which has given rise to the present discussion was the representation of the commissioner in Sind protesting against gang after gang of these vagrants being passed on to that Province, But two subsequent letters from the Bombay Government dated 1st July and 29th May 1878. shew that after all a frontier Province is the only Province that can adequately, and without excessive expense and trouble, deal with these vagrant gangs.

The Bombay Government do not seem to require any special powers. But it is deemed useful to circulate for the information and guidance of all the Local Governments and Administrations and the officers subordinate to them general instructions in respect of the treatment of foreign vagrants while in British India, as the Government of India are not prepared to undertake any special legisla

: marrauders, be treated accordingly. Careful effort on the part of
ıe Magisterial and police authorities to enforce the existing law
gainst the foreign gangs will in course of time deter them from these
-edatory incursions into quiet Indian Provinces. The fact that in
ıny of our British Provinces the people possess few weapons, and are
ıfitted by nature and habit to resist, with any degree of success,
ıe aggressive proceedings of gangs of these Asiatic foreigners, ren-
:rs it the more incumbent on the magisterial and police officers to
.ke every effort to protect the people.

'der.-- Ordered that a copy of this resolution be circulated to the
ıcal Govennments and Administrations for information and guidance,
d to the Foreign Department for information and for communication
Political and other authorities subordinate to that Department.
dered also that a collection of the most important papers on
e subject be published in the form of a Selection from the Records
the Government of India with the Resolution attached to it.

Copy
G. - T. - O. -

Letters are to be sent
Police order concer-
ning ships not
bringing
certificates not being
given by Police Officers
to persons on Voyages

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hose instructions are -

(1) that the frontier Provinces are responsible that such gangs are not allowed to pass into India.

(2) that in any Province where such a gang commit any depreda tions no effort should be spared in bringing the chief offenders to justice for specific crimes, or creating them, as the law allows, under chapter XXXIII of the Criminal Procedure Code ;

(d) that on no account should such gangs be passed on under police or other guards into other districts or other Provinces ; but if deportation is deemed necessary, it should be carried out at once under Act III. of 1864 full lists and descriptive rolls of the deported persons, with photographs of the leaders, being ta and forwarded to the frontier Governments ; and

(4) that on no account should safe-conduct passes or licenses to carry arms be granted to gangs of this type, or to any members of such gang ; and that if arms or ammuni tion are found in their possession, they should be at once disarmed in accordance with the provisions of the Arms Act.

54. It is quite true that in some cases these people possess money and jewels, but none the less do they harry the country and li on the people. And therefore they must, when they conduct themselves as

42 - 5
Drugs

G.R.S. 28]

Police
File No. 174
Serial No. 4

Diary No. of

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Police)

, the 7/9/ 1905

ate of issue 7/9/05

igned by Mr. K. Sheshagiri Rao Avl

READ.—

Letter No. 2714 dated the 16th May 1905, from the Assistant to the Hon'ble the Resident in Mysore (Copy in Extenso).

~~ORDER THEREON.—~~ No.

2. Letter No 4695 dated the 22nd August 1905, from the same officer, forwarding a Copy of the Resolution of the Govt of India in the Home Department No. 29-989-1000 dated the 20th May 1879 regarding the treatment

over

SUBJECT

Rec'd 7-9-05
Seen
7/9
M/

of gangs of foreign ~~roaming~~ Asiatic vagrants.

Order thereon. No J 789/Police-1711-4 dt 7/9/05.

The certificate granted by the Police Inspector of the Malur Taluk received from the Asst Assistant to the Hon'ble the Resident is forwarded to the Dy of Police in Mysore, with a request that he will be so good as to issue strict instructions to subordinate Police officers to refrain from granting certificates of good conduct to vagrant gangs. in future. A copy of the instructions issued by the Govt of India in the Home Deptt on the subject ~~should be~~ forwarded with information as to action taken as referred to ~~followed as far as practicable~~.

2. A copy of the instructions issued by the Dy. of Police should be forwarded for the information of Govt.

Copied. Examined

8/9/1905

7/9/1905

Secretary

To the Dy of Police

SN 7/9/05

File No 174 Police 04-05- 44.

J 695

Sl: no. 5.

No: 1747-12/174.

Office of the
Inspector General of Police in Mysore.
Dated, Bangalore, 16th September 1905.

From,

F. E. C. Carr Esquire,
Inspector General of Police in Mysore.

To,

B. K. Venkatavaradaiengar Esquire,
Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments.

Sir,

Adverting to your Memo No: J 739/Police 174-4 dated 7th September 1905, I have the honor to state that strict orders have been issued (copy enclosed) prohibiting all Police Officers from granting passports, permits or certificates of character to any foreigners, vagrants or other persons passing through the Province.

The action of the Police Inspector of Malur in having granted a certificate to the headman of the Beluchi gang referred to, is most irregular. His explanation has been called for and due notice of his conduct will be taken in due course.

The enclosure received with your memo under reference is herewith returned.

I have the honor to be,
Sir,
Your most obedient servant,

Inspector General of Police.

1905-06. 1695

From,

The Inspector General of Police,
in Mysore.

To,

The Secretary to the Govt. of
H. H. the Maharaja of Mysore,
Genl: & Rev: Departments.

Dated. 16/

Despatched. 16/ Feb/ 1905

Received.

General No: 1747
No: 176

Enclosure No: 2

Re issue of certificates to headmen of Gangs, Vagrants &c:

45

Office of the
Inspector General of Police in Mysore.
Dated, Bangalore, 12th September 1905.

ORDER NO : 12.

" No Police Officer of any grade shall give passports, permits, or certificates of character, to any Foreigners, Vagrants, or other persons, passing through his jurisdiction."

(Signed.) F. C. Carr.
Inspector General of Police.

" COPY "

Inspector General of Police.

46

Police

G.R.S. 26]

File No. 17
Serial No. 6

Diary No. of letter replied to _____

Fol No. 231.

General and Revenue Secretariat

( )

, *the* 190 .

To

The First Assistant to the
Hon'ble the Resident in
Mysore.

Date of issue 22-9-05

Signed by ~~Rao B.V.~~ Venkata Varada Iyengar

Sir,

Adverting to para 3 of ~~In reply to~~ your letter No. 2714 dated the 16th May 1905, ~~Commencing on~~ regarding the certificate granted by the Police Inspector of the Malur Taluk to one Mirza Ali, a leader of a gang of Beluchis, ~~requesting the prohibition of the grant~~ ~~ing the Cooperation of the Bom~~ ~~bay with the authorities in~~ ~~British India by issuing~~ ~~orders to prohibit the grant~~ of such certificate to vagrant

over.

SUBJECT.

gangs in future. I am directed to ~~[illegible]~~ state that the ~~Inspector General of Police in Mysore~~ has been issued ~~has issued~~ strict orders prohibiting ~~the~~ all Police officers from granting passports, permits or certificates of character to any foreigners, vagrants or other persons passing through the State.

2. The action of the Police Inspector of Malur in having granted a certificate to the headmen of the Beluchi gang, referred to, is being enquired into ~~no doubt~~ and ~~[illegible]~~ a report ~~that such~~ irregularity being noted ~~in his conduct~~ will be taken ~~after the receipt of his explanation~~ which has been called for.

I have &c.

20-9-1905

Secretary

List of enclosures.

Nil

Nil

Copied by 21·9·05

Examined by

SW 19/9/05 Nov 19-9-05

MGOPB—30,000—16-2-05

'Assigned'

1906-07

FILE No. 15 OF 1907-08

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

PROCEEDINGS OF THE GENERAL AND REVENUE DEPARTMENT

JUDICIAL AND LEGISLATIVE (LEGISLATION)

JANUARY 1909

"A" Collection Serial Nos. 1—5

Amendment of Section 88 of the Registration Regulation.

TABLE OF CONTENTS.

Serial No. of File	Number and date of letter and contents.	Reference.	Page in A Progs.
1	Letter No. 7043, dated the 19th November 1907, from the First Assistant to the Hon'ble the Resident in Mysore, to the Dewan of Mysore. States that the Postmaster-General of Madras informs that the duty of executing leases of post office buildings has been transferred to the Deputy Postmaster-General and suggests that steps may be taken to make the necessary amendments in Section 88 of the Mysore Registration Regulation recognizing the status of the former officer.		1
2	Letter No. Pol. 661, dated the 14th February 1908, from the Secretary to Government, to the First Assistant to the Hon'ble the Resident in Mysore. Forwards the draft of a Regulation in the matter and states that it will be placed before the Legislative Council at an early date.		1
3	To the same officer No. Pol. 321, dated the 5th November 1908. Forwards a copy of the Bill as finally passed by the Legislative Council and requests that the sanction of the Government of India may be obtained for the Bill being promulgated as law.		1
4	Letter No. 6832, dated the 18th December 1908, from the First Assistant to the Hon'ble the Resident in Mysore, to the Dewan. Conveys the sanction of the Government of India to the above Bill.		2
5	Government Proceedings No. J. 2003, dated the 12th January 1909, to the Compiler, *Mysore Gazette*. Directs the publication of the Bill as Regulation No. VI of 1908.		2

1907-08.

GENERAL AND REVENUE SECRETARIAT.

(LEGISLATION.)

NOTES.

FILE No. 15 of 1907-08.

ENT OF SECTION 88 OF THE REGISTRATION REGULATION.

the First Assistant to the Hon'ble the Resident in Mysore, No. 7043, dated 19th November 1907.

States that the Postmaster-General, Madras, informs that the duty of executing leases of post office buildings has been transferred to the Deputy Postmaster-General and suggests that, if there be no objection, steps may be taken to make the necessary amendments in Section 88 of the Registration Regulation.

1. The words "Postmaster-General" were inserted by Regulation VIII of 1894. (*Vide* linked file.) The words have been introduced into the Registration Regulation, I of 1903, also. Deputy Postmaster-General stands in the same position as the Postmaster-General and as such, it is a point for consideration whether the purpose cannot be served by the issue by the Inspector-General of a circular asking the Sub-Registrars to recognize the status of the Deputy Postmaster-General and to communicate with him when necessary instead of with the Postmaster-General as before. Submitted for orders.

T. K. S.
20-11-07.

S. N.
21-11-07.

2. The exemption created by Section 88 of the Registration Regulation is in favor of the Postmaster-General of Madras in respect of documents executed by him in his official capacity. If this is to be extended to the Deputy Postmaster-General also, it should be by an amendment of Section 88, and not by the issue of a circular as suggested in the notes above. The Postmaster-General of Madras does not appear to have been exempted from appearance in registration offices in British India. As he has however been already exempted here, the exemption may, it seems, be extended to the Deputy Postmaster-General also, by adding the words "or the Deputy Postmaster-General" after "Postmaster-General" in para 1 of Section 88, and omitting "or" after "Registrar" and adding "or Deputy Postmaster-General" after "Postmaster-General" in para 2.

As this is a measure affecting the post office, it seems unnecessary to place it before the Legislative Council.

K. MYLAR RAO.
25-11-07.

3. Please draft an amendment Regulation. I think the Regulation will have to go before the Legislative Council as it is not a measure affecting "post offices" but is only meant to afford certain facilities to a certain person to do certain acts under another Regulation.

C. S. BALASUNDARAM IYER.
29-11-07.

4. Please put up a draft.

MYLAR RAO.
29-11-07.

5. Draft submitted for approval.

D. C. S. S. N.

6. Submitted to Dewan through 1st and 2nd Councillors.

C. S. BALASUNDARAM IYER.

22-12-(

The proposed draft of amendment to the Registration Regulation ma
pproved.

T. ANANDA RAO.,

5-1-(

8. I see no objection to the amendment. I presume it will be placed b
e Legislative Council.

P. PUTTANNA CHETTY.

18-1-(

9. If approved, the bill may be placed before the Legislative Council.

C. S. BALASUNDARAM IYER,

18-1-(

Submitted to His Highness.

10. The accompanying draft of a Regulation to amend the Mysore Regi
on Regulation so as to extend to the Deputy Postmaster-General the exem
w enjoyed by the Postmaster-General from personal appearance before a R
ation Officer, may be sanctioned.

11. The exemption was first allowed to the Postmaster-General to ob
e necessity of his having to appear before Registration Officers in connection
e lease of private buildings for the Postal Department. The duty of execu
ises having now been transferred to the Deputy Postmaster-General, the
ncy has requested that the necessary amendment may be made in the Regi
on Regulation.

12. The Draft Regulation, if approved, will be placed before the Legisl
ouncil.

V. P. MADHAVA RAO.

21-1-(

Order.

13. Approved.

K. R. W.,

His Highness the Maharaja of Mysore.

23-1-(

14. To be brought before the Legislative Council.

V. P. M.

24-1-0

15. Draft of a letter to the Residency intimating the above, is submitted
proval. The member who has to introduce the Bill will also have to be de
ned.

T. K. S. S. N.

4-2-08.

16. Draft to the Residency submitted for approval.

K. MYLAR RAO.

6-2-0

17. Issue.

C. S. BALASUNDARAM IYER.

10-2-0

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22. To the First Assistant Resident, No. Pol. 661, dated 14th February 1908.

Forwards the Draft Regulation and states that it will be placed before
gislative Council at an early date.

17. The member who will introduce this before the Council has now to be d, so as to enable the office to enter the same in the statement of business to transacted at the next meeting of the Council, if this is to go before it then.

K. S. S. N.
15-2-08.

18. May the 1st Councillor be requested to take charge of the Bill?

K. MYLAR RAO.
15-2-0

19. Submitted to 1st Councillor.

C. S. BALASUNDARAM IYER.
17-2-08.

20. Yes.

T. ANANDA RAO.
18-2-08.

20. Submitted. The Bill has now been finally adopted by the Council. The sanction of Government of India has to be obtained for the same being pro l-gated as law. Submitted with a draft to the Residency, accordingly.

T. K. S. S. N.
28-10-08.

S. P. RAJAGOPALA CHARI.
28-10-08.

C. S. BALASUNDARAM IYER.
29-10-08.

21. Issue.

K. S. CHANDRASEKHARA AIYAR.
30-10-08.

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3. To the First Assistant to the Hon'ble the Resident in Mysore, Pol. 321, dated 5th November 1908.

States that the Registration Bill was duly placed before the Legislative Council and was unanimously adopted at the meeting held on the 1st October 1908, and forwards a copy of the Bill as finally passed by the Council with the request that the sanction of the Government of India may be obtained for the same being promulgated as law.

From the First Assistant to the Hon'ble the Resident in Mysore, No. 6832, dated 18th December 1908.

Conveys the sanction of the Government of India to the draft Bill to amend the Mysore Registration Regulation (I of 1903).

22. Submitted. The Bill has been finally passed by the Council, and approved by the Government of India. The sanction of His Highness has now to be obtained for the Bill being promulgated as law, (*vide* Rule 51 of the Legislative Council Rules). Submitted with a copy of the Bill as approved by the Government of India for the signature of the Dewan being obtained thereto as required by Rule 52 of the above rules.

T. K. S. S. N.
21-12-08.

S. HIRIYANNAIYA
21-1

Submitted to Dewan.

K. S. CHANDRASEKHARA AIYAR.
21-1

Submitted to His Highness.

24. I solicit sanction to the Bill to amend the Mysore Registration Regu I of 1903, which has been finally passed by the Legislative Council and recei sanction of the Government of India, being promulgated as law.

V. P. MADHAVA RAO.
23-1

ompiler, directing the publication of the Bill as Regulation, VI of 190

S. S. N.

9-1-09. 11-1-09.

Issue.

S. HIRIYANNAIYA.

11-1-09.

To the Compiler, Mysore Gazette, No. J. 2003, dated 12th January 1909.

ers that the Regulation to amend the Mysore Registration Regulation, I o
nich received the assent of His Highness the Maharaja of Mysore on th
of December 1908, be published in the *Mysore Gazette* for general inform

Amendment of Section 88 of the Registration Regulation.

FILE No. 15 OF 1906-07.

Letter No. 7043, from F. P. Rennie, Esq., I.C.S., First Assistant to the Resident in Mysore, to the Dewan of Mysore, dated Bangalore, 19th November 1907.

I am directed to invite a reference to the correspondence ending with this office letter No. 3183-125—94, dated the 12th September 1894, regarding the amendment of Section 88 of the Mysore Registration Regulation. **Serial No. 1.**

2. The Postmaster-General, Madras, has stated that the duty of executing leases of post office buildings has now been transferred to the Deputy Postmaster-General, and I am, at his instance, to suggest that, if there be no objection, steps may be taken to make the necessary amendments in Section 88 of the Regulation in question.

Letter No. Pol. 661 from the Secretary to Government in the General and Revenue Departments, to the First Assistant to the Hon'ble the Resident in Mysore, Bangalore, dated 14th February 1908.

I am directed to acknowledge the receipt of your letter No. 7043, dated the 19th November 1907, regarding the amendment of Section 88 of the Registration Regulation so as to extend the exemption granted thereunder to the Postmaster-General of Madras, to the Deputy Postmaster-General also. **Serial No. 2.**

2. In reply, I am to forward herewith a draft of a Regulation to amend the Mysore Registration Regulation, I of 1903, in this respect, with a statement of objects and reasons therefor, and to state that the same will be placed before the Legislative Council at an early date.

[ENCLOSURE TO THE ABOVE.]

A Bill to amend the Mysore Registration Regulation, I of 1903.

Preamble. Whereas it is expedient to amend the Mysore Registration Regulation, I of 1903, His Highness the Maharaja is pleased to enact as follows:—

Amendment of Section 88 of the Registration Regulation. (1) In para 1 of Section 88, the words "or the Deputy Postmaster-General" shall be inserted after the words "Postmaster-General."

(2) In para 2 of the same section, the word "or" after "Registrar" shall be omitted and the words "or Deputy Postmaster-General" shall be inserted after the words "Postmaster-General."

Letter Pol. No. 321, dated the 5th November 1908, from the Secretary to Government in the General and Revenue Departments, to the First Assistant to the Hon'ble the Resident in Mysore, Bangalore.

Adverting to this office letter No. Pol. 661, dated the 14th February 1908, forwarding a draft of a Bill to amend the Mysore Registration Regulation, I of 1903, so as to extend the exemption granted by Section 88 thereof to the Deputy Postmaster-General of Madras also, I am directed to state that the Bill was duly placed before the Legislative Council and was unanimously adopted at the meeting held on the 1st October 1908. I am now to forward **Serial No. 3.**

Amendment of Section 88 of the Registration Regulation.

herewith a copy of the Bill as finally passed by the Council, and to request sanction of the Government of India may be obtained for the same being promulgated as law.

Letter No. 6833, from T. B. Copeland, Esq., I.C.S., First Assistant to the Resident in Mysore, to the Dewan of Mysore, dated the 18th December 1908.

Serial No. 4.

I am directed to acknowledge the receipt of Mr. Chandrasekhara Aiyar's letter No. 321, dated the 5th November 1908, forwarding a Draft Bill to amend the Mysore Registration Regulation (I of 1903) regarding the registration of documents in Mysore.

2. In reply I am to say that the Draft Bill has been sanctioned by the Governor-General in Council, on the understanding that he retains with regard to it the power and authority which are vested in him under Article 19 of the Instrument of Transfer.

No. J. 2003—Legislative 15-07.

Serial No. 5.

ORDER THEREON.—Ordered that the accompanying Regulation to amend the Mysore Registration Regulation, I of 1903, which received the assent of His Highness the Maharaja on the 26th day of December 1908, be published for general information.

S. HIRIYANNAIYA,
For *Secy. to Govt., Gen. & Rev. Depts.*

To—The Compiler, *Mysore Gazette*, for publication, with a copy of the Regulation, VI of 1908, and for supply of 100 copies of the Regulation in English and Kanarese to this office and fifty copies each to the office of the Inspector-General of Registration in Mysore.

REGULATION No. VI OF 1908.

(*Received the assent of His Highness the Maharaja on the 26th December 1908.*)

A Regulation to amend the Mysore Registration Regulation, I of 1903.

Preamble.

Whereas it is expedient to amend the Mysore Registration Regulation, I of 1903; His Highness the Maharaja is pleased to enact as follows:—

Amendment of Section 88 of the Registration Regulation.

(1) In para 1 of Section 88, the words "or the Deputy Postmaster-General" shall be inserted after the words "Postmaster-General."

(2) In para 2 of the same section, the word "or" after "Registrar" shall be omitted and the words "or Deputy Postmaster-General" shall be inserted after the words "Postmaster-General."

V. P. MADHAVA RAO,
Dewan.